

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:04-CV-561-W

SCOTTY HERMAN,

Plaintiff,

vs.

**PIZZA HUT, INC., PIZZA HUT OF
AMERICA, INC., TRICON GLOBAL
RESTAURANTS, INC., and
AMERICA'S PIZZA COMPANY,
LLC,**

Defendants.

ORDER

THIS MATTER came this day before the undersigned United States District Judge for status conference and hearing on defendant's motion for summary judgment. For the reasons stated on the record in open court, defendant's motion for summary judgment (Doc. No. 16) is GRANTED as to plaintiff's wrongful discharge claims and DENIED as to plaintiff's reasonable accommodation claim.

IT IS SO ORDERED.

Signed: September 28, 2006



Frank D. Whitney
United States District Judge

